

Weekly Update + important clarification

2 messages

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Dearest Directors,

Your latest Weekly Update can be found at the link below:

<https://esc4.box.com/s/tntpu4y46hevl5wnghx3yo7m6o11g60i>

Important Clarification Regarding Information Shared by Janet Horton at our Director Meeting:

At the directors meeting on February 14, Janet Horton discussed possible ways to address the issues created by initial evaluations that are not being completed within the required timelines because of the volume of evaluations being done by a district. She discussed that one possible way to address the timeline issue is to have an initial ARD meeting before the evaluation is completed if the parts of the evaluation completed first indicate a disability and a need for special education. This would allow special education services to begin while the rest of the evaluation is finished.

As with many situations in SPED, the Federal law does not address these difficult dilemmas! Janet knew I was going to be at a TEA meeting this week with Justin Porter and Tammy Percy and asked if I would run the issue by them. So I did!

Our TEA friends indicated that they understand the very critical situation that districts are facing with the exponential increase in referrals and the shortage of evaluation personnel. They also realize that the law can't account for every possible scenario. **However, they recommended holding the ARD only after the FIE is complete even if it was out of timelines.** Their concerns were of setting a precedent for coming to ARD before an FIE was totally complete. Both emphasized the importance of districts responding to the opportunity for clarification following SPP 11 submission. Explanations regarding the reasons for missing a timeline and the attempts to remedy the situation will be taken very seriously. Districts will likely be given "grace" for non-compliance given the state of things statewide. They recommended that the district also beef up general education supports during the evaluation time to reduce potential compensatory services.

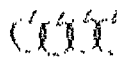
Janet wanted me to share this update with you as soon as possible since it was different guidance than she had given at our Director Meeting. We appreciate Janet for helping us sort through these difficult times!

Ginger E. Gates Ph.D

Director

Special Education Solutions

Special Education Director Blog www.esc4.net/SPEDblog

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